



The U.S. Department of Justice (DOJ), [Office on Violence Against Women](#) (OVW) is pleased to announce that it is seeking applications under the Recovery Act STOP Violence Against Women Formula Grant Program.

On February 17, 2009, President Obama signed into law the landmark American Recovery and Reinvestment Act of 2009 (the "Recovery Act"). As one of its many elements, the Recovery Act provides the U.S. Department of Justice with funding for grants to assist state, local, and tribal law enforcement (including support for hiring to combat violence against women, to fight internet crimes against children, to improve the functioning of the criminal justice system, to assist victims of crime, and to support youth mentoring. DOJ is committed to working with our national, state, local and tribal partnerships to ensure this funding invests in the American workforce.

Specifically, under this solicitation, OVW will be making awards to enhance offender accountability in cases involving violence against women and increase the availability of victim services in such cases.

Recovery Act STOP Violence Against Women Formula Grant Program

Eligibility

Applicants are limited to any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands
(See "Eligibility" on page 6)

Deadline

Registration with *Grants Management System (GMS)* is required prior to application submission.

Applicants must obtain a DUNS number from Dun and Bradstreet prior to application submission. Applicants, including those applying through GMS, must register with the Central Contractor Registration (CCR) database.

All applicants should register online with GMS by **March 13, 2009**.

All applications are due by 8:00 p.m. e.t. on **March 24, 2009**.

(See "Deadline: Applications," page 5)

Important Note to Prospective Applicants

This solicitation is issued pursuant to the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), which was signed into law by President Obama on February 17, 2009. As of the date this solicitation is issued, government-wide guidance is still forthcoming on various aspects of the Act.

Applicants are strongly advised to check the appropriate website and www.ovw.usdoj.gov/recovery-applicants.htm periodically (including before submitting an application) for updates to this solicitation and its associated requirements. Additional information may become available that could affect project proposal narratives, timelines, budget requests, certifications, and other matters related to applications.

Award recipients will be required to follow any applicable provisions of government-wide guidance that may be issued pursuant to the Recovery Act.

Contact Information

For assistance with the programmatic requirements of this solicitation, contact OVW at (202) 307-6026.

This application must be submitted through OJP's Grants Management System (GMS). For technical assistance relating to the on-line application system, call the Grants Management System Support Hotline at 1-888-549-9901, option 3.

Note: The GMS Support Hotline hours of operation are Monday-Friday from 7:00 a.m. to 9:00 p.m. Eastern Time.

For OVW procedures to address technical problems related to the submission of your application, please see page 6.

Grants.Gov number assigned to announcement: OVW-2009-xxxx

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OVW Recovery Act STOP Violence Against Women Formula Grant Program

(CFDA 16.588)

Overview

This grant program is authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the “Recovery Act”) and by 42 U.S.C. 3796gg et seq.

The stated purposes of the Recovery Act are to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive State and local tax increases.

The Recovery Act places great emphasis on accountability and transparency in the use of taxpayer dollars. Among other things, it creates a new Recovery Accountability and Transparency Board and a new website – Recovery.gov – to provide information to the public, including access to detailed information on grants and contracts made with Recovery Act funds.

Note: Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the OVW Director, who may also give consideration to factors including, but not limited to, underserved populations, geographic distribution, strategic priorities, past performance, and funding availability when making awards.

About the Office on Violence Against Women

The Office on Violence Against Women (OVW) is a component of the United States Department of Justice (DOJ). Created in 1995, OVW implements the Violence Against Women Act (VAWA) and subsequent legislation and provides national leadership against domestic violence, dating violence, sexual assault and stalking. Since its inception, OVW has launched a multifaceted approach to responding to these crimes. By forging State, local and tribal partnerships among police, prosecutors, the judiciary, victim advocates, health care providers, faith leaders, and others, OVW grants help provide victims with the protection and services they need to pursue safe and healthy lives and enable communities to hold offenders accountable.

About the OVW Recovery Act STOP Violence Against Women Formula Grant Program

This solicitation provides program and application guidelines for the OVW Recovery Act Services*Training*Officers*Prosecutors (STOP) Violence Against Women Formula Grant Program (Recovery Act STOP Program) funding, including guidelines for requirements of the VAWA as amended. By statute, the STOP Program supports communities in their efforts to hire and retain criminal justice and victim services personnel that respond to violent crimes against women as a way to develop and strengthen effective law enforcement, prosecution strategies, and victim services in cases involving violent crimes against women. To further the purposes of the Recovery Act, OVW encourages States to target Recovery Act funding to hiring and retaining criminal justice and victim services personnel who respond to violent crimes against women, as well as supporting other strategies that create and preserve jobs and promote

economic growth while improving responses to domestic violence, dating violence, sexual assault, and stalking.

Deadline: Registration

Registering with OJP's Grants Management System (GMS)

Applications must be submitted through OJP's online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. The registration process for organizations includes: (1) Obtaining a Data Universal Numbering System (DUNS) number; (2) Registering your organization with the Central Contractor Registration (CCR) database; and (3) Registering with GMS prior to applying.

The deadline to register is 8:00 p.m. Eastern Time on March 13, 2009.

A DUNS number is required. All applicants under this solicitation must include a DUNS (Data Universal Numbering System) number in their application. Applications without a DUNS number are incomplete.

A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by applying online at <http://www.dnb.com/us/>. Individuals are exempt from this requirement.

Central Contractor Registration (CCR) is required. In addition to the DUNS number requirement, OVW requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about registration procedures can be accessed at www.ccr.gov.

Deadline: Application

The due date for applying for funding under this announcement is **8:00 p.m. e.t. on March 24, 2009.**

Eligibility

It is very important that applicants review this information carefully. Applications that are submitted by non-eligible entities will be removed from further consideration during an initial review process.

By statute, eligible entities for this program are:

- any State of the United States;
- the District of Columbia; and,
- the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands (hereafter referred to as “states and territories”).

STOP Certification Requirements

To be eligible for funds, states and territories **must** certify that they are in compliance with the statutory eligibility requirements of the Recovery Act STOP Program. The *Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act (as Amended)* form, must be signed and submitted annually by the Authorized Representative to demonstrate compliance with these requirements. (This form can be found at Appendix B).

1. With respect to the VAWA requirement concerning costs for criminal charges and protection orders, a state or territory must certify:
 - that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state, tribal, or local jurisdiction.
2. With respect to the VAWA requirement concerning forensic medical examination payment for victims of sexual assault, a state or territory must certify:
 - the state or territory, Indian tribal government, unit of local government, or another governmental entity incurs the full out-of-pocket cost of forensic medical exams for victims of sexual assault; and,
 - that, as of **January 5, 2009**, it does not require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.

Note: STOP funds may now be used to pay for forensic medical exams performed by trained examiners for victims of sexual assault, except that such funds may not be used to pay for forensic medical exams if victims of sexual assault are required to seek reimbursement for such exams from their insurance carriers.
3. With respect to the VAWA requirement concerning judicial notification, a state or territory must certify:
 - that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18 of the United States Code, and any applicable related

Federal, State, or local laws; or that its judicial administrative policies and practices will be in compliance with the above by:

- the period ending on the date on which the next session of the State legislature after January 5, 2006 ends.

4. With respect to the VAWA requirement prohibiting polygraph testing, a state or territory must certify:

- that, as of **January 5, 2009**, their laws, policies, or practices ensured that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, tribal, state, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense.
- the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense by a state, Indian tribal government, territorial government, or unit of local government.

Please note, if your State or Territory is not compliant with one or more of these statutory certification requirements, you will not be eligible for funding under the Recovery Act STOP Program. For more information on these statutory requirements, please visit the OVW Web site, which can be found at <http://www.ovw.usdoj.gov/applicants.htm> and click on "[Frequently Asked Questions Regarding STOP Violence Against Women Formula Grants](#)."

Additional Requirements related to the Recovery Act (including certification requirements):

Reporting on the Use of Funds. In order to be eligible to receive funds under this solicitation, applicants must certify that they will satisfy the reporting requirements of section 1512(c) of the Recovery Act, which requires detailed reporting (including reporting on subawards) no later than 10 calendar days after the end of each calendar quarter. Detailed information on section 1512(c) appears below, under "Accountability and Transparency under the Recovery Act." A template for the certification is included in Appendix A. Applicants may expect that a standard form and/or standard reporting mechanism will be made available at a later date.

Funding Distribution and Appropriate Use of Funds. Section 1607 of the Recovery Act requires either a certification by the Governor or a concurrent resolution of the State legislature concerning funds distribution and assurance of appropriate use of funds. States may not receive funds under this Recovery Act solicitation unless section 1607 is satisfied. (Refer to the OJP Recovery Act Additional Requirements webpage at www.ovw.usdoj.gov/recovery-applicants.htm for the text of section 1607.)

Funding to Faith-Based and Community Organizations

Consistent with President George W. Bush's Executive Order 13279, dated December 12, 2002, and 28 C.F.R. Part 38, it is DOJ policy that faith-based and community organizations that statutorily qualify as eligible applicants under DOJ programs are invited and encouraged to apply for assistance awards to fund eligible grant activities. Faith-based and community

organizations will be considered for awards on the same basis as other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated for or against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based organizations receiving DOJ assistance awards retain their independence and do not lose or have to modify their religious identity (e.g., removing religious symbols) to receive assistance awards. DOJ grant funds, however, may not be used to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ grant funds; rather, such religious activity must be separate in time or place from the DOJ-funded program. Further, participation in such activity by individuals receiving services must be voluntary. Programs funded by DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.

If the applicant organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled, under the Religious Freedom Restoration Act, 42 U.S.C. § 2000bb, to receive federal funds and yet maintain that hiring practice, even if the law creating the funding program contains a general ban on religious discrimination in employment. For the circumstances under which this may occur, and the certifications that may be required, please see www.ovw.usdoj.gov/recovery-applicants.htm .

Applicants are also encouraged to review the “Civil Rights Compliance” section on the “OJP Recovery Act Additional Requirements” webpage, which can be found at the web address shown above.

OVW Recovery Act STOP Violence Against Women Formula Grant Program—Specific Information

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Applicants also should anticipate that awards under the Recovery Act will be one-time awards and accordingly should propose project activities and deliverables that can be accomplished without additional DOJ funding.

Award Period

The award period for these grants will be 24 months.

Award Amounts

By statute, OVW will award a base amount of \$600,000 to each state. Funds remaining after the allocated base amount will be distributed among the states according to population. The most accurate and complete data compiled by the U.S. Bureau of the Census is used to determine the state populations. By statute, Indian tribal populations are not included in the population count.

Program Scope

The scope of the OVW Recovery Act STOP Program is defined by the statutory purpose areas and the identified program activities.

Statutory Program Purposes

By statute, funds under the OVW Recovery Act STOP Program may be used for the following purposes:

OVW Recovery Act STOP Program grants are intended for use by States and territories; state, local, and tribal courts (including juvenile courts); Indian Tribal governments; units of local government; and nonprofit, nongovernmental victim services programs, including faith-based and community organizations. Grants and subgrants supported through this Program **must** meet one or more of the following statutory purpose areas²:

- Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault, domestic violence, and dating violence;
- Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault and domestic violence;
- Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of sexual assault and domestic violence;
- Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of sexual assault and domestic violence;
- Developing, enlarging, or strengthening victim services programs, including sexual assault, domestic violence, and dating violence programs, developing or improving delivery of victim services to underserved populations, providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of sexual assault, domestic violence, and dating violence;
- Developing, enlarging, or strengthening programs addressing stalking;
- Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of sexual assault and domestic violence;
- Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by state funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of sexual assault,

² 42 U.S.C. § 3796gg(b).

domestic violence, and dating violence;

- Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault;
- Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals;
- Providing assistance to victims of domestic violence and sexual assault in immigration matters;
- Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;
- Supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities—
 - Developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized;
 - Notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;
 - Referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and
 - Taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order.
- Providing funding to law enforcement agencies, nonprofit nongovernmental victim services providers, and state, tribal, territorial, and local governments, (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote—
 - The development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates,” to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;

- The implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies (such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project,” July 2003³);
- The development of such protocols in collaboration with state, tribal, territorial and local victim services providers and domestic violence coalitions.

Note: Any law enforcement, state, tribal, territorial, or local government agency receiving funding under the Crystal Judson Domestic Violence Protocol Program shall on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of two years, provide a report of the adopted protocol to the Department, including a summary of progress in implementing such protocol. As such, states are responsible for ensuring that each subgrantee receiving funds under this purpose area will receive the required annual training. States are also responsible for ensuring that subgrantees submit their two year report to the Department. States and territories **must** notify and provide OVW with a list of subgrantee recipients awarded STOP funds under the Crystal Judson Domestic Violence Protocol Program

Program Priorities

The emphasis of the OVW Recovery Act STOP Program is on job creation and retention and economic stimulus.

Compliance with the Recovery Act Priorities

Projects supported under the Recovery Act must adhere to the primary principles of this Act: 1) creation of jobs, 2) preservation of jobs, and 3) promotion of economic growth. States and territories must ensure that these elements are factors in the selection and review process and ensure that each project funded will address how their project will provide meaningful and measurable outcomes for achieving job creation and preservation.

Note: States and territories must promote a competitive process to the maximum extent possible. Continuation or renewal applications may be considered for funding, however, States and territories must track and account separately for use of the Recovery Act funding.

In shaping their strategies for the OVW Recovery Act STOP Formula Program, States and territories are encouraged to develop and support projects to:

- Hire and retain criminal justice and victim services personnel that respond to violent crimes against women; and
- Develop or improve protection order registries compatible with the Federal Bureau of Investigation NCIC Protection Order File.

³A copy of this document is available on the IACP Web site at <http://www.theiacp.org/documents/pdfs/Publications/DomViolenceModelPolicy.pdf>

Program Requirements

Upon satisfying the application requirements, a State or territory qualifies for funds under the OVW Recovery Act STOP Program provided that the state or territory complies with the following program requirements:

Program Purposes

The funds can be used for any of the fourteen statutory purpose areas listed previously and set forth in the OVW STOP Program statute.

Consultation and Documentation Requirement

State applications **must** include “documentation showing that tribal, territorial, state, or local prosecution, law enforcement, and courts **have** consulted with tribal, territorial, state or local victim services programs during the course of developing their grant applications for the Recovery Act STOP Program in order to ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence.” 42 U.S.C. § 3796gg–(d) (4).

STOP Implementation Plan

All States and territories will need to submit a new implementation plan specific to the purposes of the Recovery Act. The Recovery Act STOP Program implementation plan must specify how the planned activities will create or retain jobs and create economic growth. This plan is due within 120 days after receipt of the Recovery Act STOP award. **Applicants are reminded that they will not be able to draw down all funds until their implementation plan has been approved by OVW.** OVW will review all plans within 45 days of receipt from the State.

States must develop their Recovery Act implementation plans through deliberative consultation and coordination with nonprofit, nongovernmental victim services programs (including sexual assault and domestic violence programs, faith-based and community organizations). States and territories must demonstrate through the plan that they have consulted and coordinated in a meaningful way with sexual assault and domestic violence victim services programs and coalitions.

The identification of which victim services programs to consult is at the discretion of each State or territory; however, states should bear in mind that the *Violence Against Women Act* defines a victim services program as “a nonprofit, nongovernmental organization that assists domestic violence, dating violence, sexual assault, or stalking victims, including rape crisis centers, domestic violence shelters, faith-based organizations, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault or stalking.” States and territories are strongly encouraged to involve representatives from Indian tribal governments in their planning processes and to consider the needs of Indian tribes in developing the state’s law enforcement, prosecution, court, and victim services strategies.

The Recovery Act STOP Program implementation plan can be a short summary of the information described below. OVW anticipates that these plans will be no more than 10 pages.

In addition to information on job creation and retention and economic stimulus, the Recovery Act implementation plan must describe:

- The process used to redevelop the plan and the involvement of victim services, tribes,

diverse populations, programs and advocates;

- The types of programs the grantee intends to support with grant funds; and
- How the success of the grant-funded activities will be evaluated.

The implementation plan also should describe how the State or territory will achieve and ensure the following:

- The continued equitable distribution of funds on a geographic basis, including nonurban and rural areas of various geographic sizes; and
- Recognition and meaningful response to the needs of underserved populations and ensure that monies set aside to fund linguistically and culturally specific services and activities for underserved populations are distributed equitably among those populations.

Allocation of Funds

The implementation plan must clearly state that, of the total award amount:

- At least five percent will be allocated for state and local courts including juvenile courts;
- At least 25 percent will be allocated for law enforcement;
- At least 25 percent will be allocated for prosecutors; and,
- At least 30 percent will be allocated for nonprofit, nongovernmental victim services, of which at least 10 percent is to be distributed to culturally specific community-based organizations; and

The implementation plan shall also briefly summarize the distribution of administrative funds.

The allocation of funds is a statutory requirement. **These allocations may not be redistributed or transferred to another funding allocation area.** States and territories have 24 months (the duration of the grant period) to meet the statutory funding allocations. The remainder of the funds (15%) may be spent at the discretion of the state or territory to address the statutory program purposes described previously. Grantees are required to submit only total cost estimates, not category-specific amounts, for each subgrant. Decisions about the allocation of OVW Recovery Act STOP Program funds must be made in a manner that avoids any conflicts of interest as described in the OJP Financial Guide.⁴

Activities That May Compromise Victim Safety

Ensuring victim safety is a guiding principle underlying this program. Experience has shown that certain practices may compromise victim safety rather than enhance it. Certain responses by the authorities may have the effect of minimizing or trivializing the offender's criminal behavior. Accordingly, consistent with the goals of ensuring victim safety while holding perpetrators accountable for their criminal conduct, applicants are strongly discouraged from

⁴OJP Financial Guide, p. 10

proposing projects that include any activities that may compromise victim safety, such as the following:

- Offering perpetrators the option of entering pre-trial diversion programs;
- Requiring mediation or counseling for couples as a systemic response to domestic violence or sexual assault;
- Requiring victims to report sexual assault, stalking, or domestic violence crimes to law enforcement or forcing victims to participate in criminal proceedings;
- Court mandated batterer intervention programs that do not use the coercive power of the criminal justice system to hold batterers accountable for their behavior;
- Placing of batterers in anger management programs; or,
- Procedures that would penalize victims of domestic violence for failure to testify against their abusers or impose other sanctions on them;

Unallowable Activities

Grant funds under the OVW Recovery Act STOP Program may not be used for any unauthorized purposes, including but not limited to the following activities:

- Lobbying,
- Fundraising,
- Research projects,
- Building Renovations.

Required Match

A grant made under this program may not cover more than 75 percent of the total costs of the project being funded. The applicant must identify the source of the 25 percent non-Federal portion of the budget and how match funds will be used. Applicants may satisfy the required match with either cash or in-kind services.

Required Match Exception: VAWA 2005, as amended, created a new provision eliminating match in certain circumstances and providing for waivers of match in other circumstances. Specifically, 42 U.S.C. § 13925 (b)(1) provides:

No matching funds shall be required for any grant or subgrant made under this Act for—

- any tribe, territory, or victim service provider; or
- any other entity, including a State, that—
 - Petitions for a waiver of any match condition imposed by the Attorney General or the Secretaries of Health and Human Services or Housing and Urban Development; and
 - Whose petition for a waiver is determined by the Attorney General or the Secretaries of Health and Human Services or Housing and Urban Development to have adequately demonstrated the financial need of the petitioning entity.

Note: This provision does not relieve the state from providing the full 25 percent match unless the state requests and receives a waiver. Given the purpose of the Recovery Act to promote economic growth and the current economic crisis, OVW will consider any reasonable request for a waiver. If you want to request a waiver, please include a letter explaining your economic hardship, how it impacts STOP Program purpose areas and subgrantees, and the amount of waiver requested. For more information, please contact your OVW Program Manager or consult OVW's Web site at <http://www.ovw.usdoj.gov/recovery-applicants.htm> and click on "[Frequently Asked Questions Regarding STOP Violence Against Women Formula Grants](#)."

The formula for calculating the required match is:

Award Amount ÷ 75% Federal Share = Adjusted Project Costs

Adjusted Project Costs x 25% Recipient's Share = Required Match

Example: 75/25% Required Match

For a Federal award amount of \$350,000, required match would be calculated as follows:

$\$350,000 \div 75\% = \$466,667$

$\$466,667 \times 25\% = \$116,667$ Required Match

Grantees are advised that further guidance on the calculation, documentation and auditing of the match requirement can be found in the OJP Financial Guide and on OVW's website. Copies of the Guide are available from the Department of Justice Response Center at 1-800-421-6770 or on-line at <http://www.ojp.usdoj.gov/financialguide/index.htm>. For more information and ideas regarding match, please see OVW's website at http://www.ovw.usdoj.gov/docs/match_requirement.pdf.

Non-supplanting: Federal funds must be used to supplement existing State and local funds for program activities and must not replace those funds that have been appropriated for the same purpose. See the OJP Financial Guide (Part II, Chapter 3) <http://www.ojp.usdoj.gov/financialguide/index.htm>. Additional information appears on the "OJP Recovery Act Additional Requirements" webpage at www.ovw.usdoj.gov/recovery-applicants.htm.

Recovery Act: Contracts

Generally speaking, the Recovery Act places special emphasis on the use of fixed-price contracts awarded through competitive procedures. As information becomes available, OVW will provide guidance to applicants as to what, if any, particular procurement requirements or procedures may apply to contracts awarded with Recovery Act grant funds, apart from those that appear in 28 C.F.R. Part 66 and 28 C.F.R. Part 70.

Recovery Act: Limit on Funds

The Recovery Act specifically provides that funds may not be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

Recovery Act: Use of Funds in Conjunction with Funds from Other Sources.

Recovery Act funds may be used in conjunction with other funding as necessary to complete projects, but tracking and reporting of Recovery Act funds must be separate, to meet the reporting and other requirements of the Recovery Act and other applicable law. There can be no commingling of funds. (See “Accountability and Transparency under the Recovery Act,” below.)

Accountability and Transparency under the Recovery Act

Separate Tracking and Reporting of Recovery Act Funds and Outcomes

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, it is essential that all funds from a Recovery Act grant be tracked, accounted for, and reported on separately from all other funds (including DOJ grant funds from non-Recovery-Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery Act funds.

The accounting systems of all recipients and subrecipients must ensure funds from any award under this Recovery Act solicitation are not commingled with funds from any other source.

Misuse of grant funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.

Quarterly Financial and Programmatic Reporting

Consistent with the Recovery Act emphasis on accountability and transparency, reporting requirements under Recovery Act grant programs will differ from and expand upon OVW's standard reporting requirements for grants. In particular, section 1512(c) of the Recovery Act sets out detailed requirements for quarterly reports that must be submitted within 10 days of the end of each calendar quarter. Receipt of funds will be contingent on meeting the Recovery Act reporting requirements.

Under this Recovery Act program, quarterly financial and programmatic reporting will be required, and will be **due within 10 calendar days after the end of each calendar quarter**, starting July 10, 2009. The information from grantee reports will be posted on a public website specifically intended for Recovery Act information. To the extent that grant funds are available to pay a grantee's administrative expenses, those funds may be used to assist the grantee in meeting the accelerated time-frame and extensive reporting requirements of the Recovery Act.

Programmatic and Financial Reporting Periods	Due Dates
October- December	January 10
January- March	April 10
April-June	July 10
July-September	October 10

Recovery Act grant recipients may expect the information posted by OVW on a website developed for Recovery Act transparency will identify grantees that are delinquent in their reporting. In addition, in keeping with standard OVW practice, grant recipients who do not submit required reports by the due date will not be permitted to draw down funds thereafter, during the pendency of the delinquency, and may be subject to other appropriate actions by

OVW, including, but not limited to, restrictions on eligibility for other OVW awards, restrictions on draw-down on future OVW awards, and suspension or termination of the Recovery Act award.

Funding recipients may expect that a standard form and/or reporting mechanism may be available. Additional instructions and guidance regarding the required reporting will be provided as they become available. For planning purposes, however, all applicants should be aware that the Recovery Act section 1512(c) provides as follows:

Recipient Reports- Not later than 10 days after the end of each calendar quarter, each recipient that received recovery funds from a Federal agency shall submit a report to that agency that contains--

- (1) the total amount of recovery funds received from that agency;*
- (2) the amount of recovery funds received that were expended or obligated to projects or activities; and*
- (3) a detailed list of all projects or activities for which recovery funds were expended or obligated, including--*
 - (A) the name of the project or activity;*
 - (B) a description of the project or activity;*
 - (C) an evaluation of the completion status of the project or activity;*
 - (D) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and*
 - (E) for infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment.*
- (4) Detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.*

Subawards under Recovery Act Grants

Reporting, DUNS and CCR. As indicated above, quarterly reporting requirements for Recovery Act awards include reporting with respect to subawards. In order to facilitate that reporting, award recipients must work with their first-tier subawardees (if any) to ensure that, no later than the due date of the award recipient's first quarterly report after a subaward is made, the subawardee has a DUNS numbers and is registered with the Central Contractor Registration (CCR) database. See "Deadline: Registration" on page 5 for more information on CCR and DUNS numbers.

Monitoring of subawards. All applicants should bear in mind that any recipient of an award under this solicitation will be responsible for monitoring subawards under the grant in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide. Primary recipients will be responsible for oversight of subawardee spending and monitoring of specific outcomes and benefits attributable to use of Recovery Act funds.

Reporting Fraud, Waste, Error, and Abuse

Each grantee or subgrantee awarded funds made available under the Recovery Act is to promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has submitted false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Recovery Act funds.

You may report potential fraud, waste, abuse, or misconduct to the U.S. Department of Justice, Office of the Inspector General (OIG) by:

Mail: Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

E-mail: oig.hotline@usdoj.gov

Hotline: (contact information in English and Spanish): 1-(800) 869-4499

Fax: (202) 616-9881

Additional information is available from the DOJ OIG website at <http://www.usdoj.gov/oig/>.

The Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross management, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to section 1553 of the Recovery Act.

Performance Measures

To assist in fulfilling DOJ's responsibilities under the Government Performance and Results Act (GPRA), Pub. L. No. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. Performance measures for this solicitation are as follows:

OBJECTIVE	PERFORMANCE MEASURES	DATA THE GRANTEE PROVIDES FOR 3-MONTH REPORTING PERIOD
Strengthen partnerships for safer communities and enhance the Nation's capacity to prevent, solve, and control crime.	<p>1) The number and percentage of arrests relative to the number of police responses to domestic violence incidents;</p> <p>2) The number of sexual assault nurse examiners trained;</p> <p>3) The number of victims receiving requested services; and</p> <p>4) The number of victim advocates supported by grant funding.</p>	<p>This information will be provided to OVW through annual progress report forms. Please see http://muskie.usm.maine.edu/vawamei/formstop.htm#dwnfrm for a sample form.</p>
<i>Recovery Act.</i> Create and preserve jobs and promote economic recovery.	<p>1) Number of jobs retained due to Recovery Act funding.</p> <p>2) Number of jobs created due to Recovery Act funding.</p>	<p>This information will be provided to OVW through quarterly financial and programmatic reporting described on pages 16-17.</p>

How to Apply

Grants Management System Instructions. Applications, including supporting documentation, must be submitted through OJP's online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process a few weeks prior to the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. For a step-by-step guide, visit <http://www.ojp.gov/gmscbt/> and refer to the section entitled "External Overview: Locating & Applying for Funding Opportunities." For additional assistance, call the GMS Help Desk at 1-888-549-9901 from 7:00 a.m. to 9:00 p.m. Eastern Time Monday to Friday.

Note: OVW will not review any application whose attachments are in Microsoft Vista or Microsoft 2007 format. Applications submitted via GMS must be in the following formats: Microsoft Word (*.doc), Word Perfect (*.wpd), Microsoft Excel (*.xlm), PDF files (*.pdf), or Text Documents (*.txt). GMS is not yet compatible with Vista and cannot yet process Microsoft Word 2007 documents saved in the new default format with the extension ".docx." Please ensure that any Word documents you are submitting are saved using "Word 97-2003 Document (*.doc)" format. Additionally, GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

In addition, applicants must send **via overnight delivery** a complete hard copy original of the application **dated by March 24, 2009** to:

**The Office on Violence Against Women
U.S. Department of Justice
Attn: STOP Unit
800 K Street NW, Ste. 920
Washington, D.C. 20001**

CFDA Number

The Catalog of Federal Domestic Assistance number for this program is 16.588, titled "FY 2009 STOP Violence Against Women Formula Grant Program."

What an Application Must Include

Applicants must complete each of the following sections as part of their response to this solicitation. **It is the responsibility of the applicant to ensure that the application is complete.** Please be sure to number each page of the application.

Applications must use the following page format requirements:

- Double spaced
- 8½ x 11 inch paper
- One inch margins
- Type no smaller than 12 point, Times New Roman font

Application for Federal Assistance (SF-424)

The SF-424 will be filled out online through through GMS. The Catalog of Federal Domestic Assistance number for this program is 16.588. Please be sure that the Federal amount requested on the SF-424 matches the amount in the submitted budget. Also, in Type of Applicant, please do not select "other."

Applicants must ensure the contact information for the authorizing official and alternate contact is filled out correctly. The authorizing official is an individual authorized to accept grant funds on behalf of the jurisdiction or nongovernmental private entity applying. Please do not type in all capital letters.

Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (Form 4061/6)

Review the assurances and certification forms. To successfully submit an application, applicants must agree to all of these assurances and certifications without exception. Agreement to these assurances and certifications will be assumed upon receipt of an application received through GMS.

Narrative

The following narrative will be submitted as an attachment in GMS and should contain the following elements:

- A brief description on how the State or territory plans to make its Recovery Act subgrant awards.
- A description of how the State or territory will consider creation and preservation of jobs as factors in making its subgrant awards.
- The process for which the State or territory will maximize competition among applicants.
- A description of how the State or territory will monitor the use of grant funds to ensure compliance with the goals and requirements of the Recovery Act.
- A brief summary (not a detailed budget) of how administrative funds will be used to achieve the specific goals of this funding.

OVW anticipates this will not require more than 10 pages.

Note: Items described below must be submitted via attachments to the application in GMS. Please use descriptive titles for all on-line attachments.

Letters Regarding Grant Funds

Applicants must submit four separate and distinct letters to OVW regarding grant funds. At least one letter must be submitted from each of the following areas: (1) prosecution, (2) law enforcement, (3) court, and (4) victim services programs demonstrating the need for the grant funds, intended use of grant funds, expected results from the use of the grant funds, and demographic characteristics of the populations to be served, including age, marital status, disability, race, ethnicity, and language background. This documentation may be in the form of letters from current grantees or state-wide organizations representing prosecution, law enforcement, courts and victims services able to comment on the current and proposed use of grant funds as well as the anticipated results for the populations to be served. States may resubmit the letters that were previously attached to their Federal Fiscal Year 2009 STOP Formula Program applications.

Letters Demonstrating Participation

Applicants must submit letters demonstrating the commitment of nonprofit, nongovernmental victim-services programs to participate in the development of the grantee's implementation plan. This documentation may be in the form of letters from members of the planning team and should indicate that the plan will address the needs and services identified as priorities by the team, including the needs of underserved populations.

Letters Documenting Consultation

State applications **must** include "documentation showing that tribal, territorial, state, or local prosecution, law enforcement, and courts **have** consulted with tribal, territorial, state or local victim services programs during the course of developing their grant applications in order to ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence." If the Recovery Act grantee pool is likely to be substantially the

same as for Federal Fiscal Year 2009 STOP Formula Program funds, you may resubmit the same documentation.

Note: The aforementioned victim services letters regarding grant funds and victim services letters regarding participation and consultation should be **separate and distinct letters** and not one letter addressing more than one topic.

Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act as Amended (Appendix B): This form should be signed by an authorized official.

Letter of Nonsupplanting

Applicants must submit a letter to OVW's Director, certifying that federal funds will not be used to supplant State or local funds should a grant award be made. Please refer to <http://www.ovw.usdoj.gov/recovery-applicants.htm> for a sample letter.

Budget Requirements

The following is a short list of budget guidelines:

- Applicants are strongly discouraged from requesting consultant rates in excess of \$450 per day, because they require prior approval from the OVW's Director.
- Applicants **may not** allocate any funds for building renovations. This includes seemingly minor activities such as painting or carpeting.
- Applicants **may not** allocate any funds to purchase vehicles. Exceptions may be made on a case by case basis for use by subgrantees with OVW prior approval.
- Applicants may not allocate more than 10% of their budgets for administrative funds.
- Applicants may not use any OVW funds for conducting research. However, up to 1% of the budget may be allocated for the purpose of assessing the effectiveness of funded activities. For example, funds may be used to conduct pre and post testing of training recipients or victim satisfaction surveys. In conducting such testing or surveys, grantees may not collect, analyze or disseminate any information identifiable to a private person during the course of assessing the effectiveness of funded activities.

Applicants are also encouraged to include funds in their budgets to attend Financial Management Training Seminars sponsored by OJP, Office of the Chief Financial Officer. These seminars instruct participants in the financial administration of OJP and OVW formula and discretionary grant programs. A schedule listing the financial training seminars is available at <http://www.ojp.usdoj.gov/training/fmts.htm>.

Additional Requirements

Successful applicants selected for awards under this Recovery Act solicitation must agree to comply with additional applicable requirements prior to receiving grant funding. We strongly encourage you to review the list below pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ovw.usdoj.gov/recovery-applicants.htm.

- Civil Rights Compliance
- Funding to Faith-Based Organizations
- Confidentiality and Human Subjects Protection
- Anti-Lobbying Act
- Financial and Government Audit Requirements, includes Single Audit Act Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards
- Single Point of Contact Review
- Non-Supplanting of State and Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs [Financial Guide](#)
- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Recovery Act Reporting Requirements; Section 1512(c) of the Recovery Act
- Section 1511 of the Recovery Act: Certifications
- Section 1602 of the Recovery Act: Preference for Quick-Start Activities
- Section 1604 of the Recovery Act: Limit on Funds

- Section 1605 of the Recovery Act: Buy American
- Section 1606 of the Recovery Act: Wage Rate Requirements
- Section 1607 of the Recovery Act: Additional Funding Distribution and Assurance of Appropriate Use of Funds
- Section 1609 of the Recovery Act: Relating to National Environmental Policy Act

We strongly encourage applicants to review the information pertaining to these additional requirements prior to submitting their applications.

OVW Application Checklist

Applicants must submit a fully executed application to OVW via GMS, including all required supporting documentation. **Although most parts of the application will be submitted through GMS as well as hard copy form, the hard copy will be reviewed.** Applications submitted via GMS must be in the following word processing formats: Microsoft Word (.doc), PDF files (.pdf), or Text Documents (.txt). Please use logical titles when saving and uploading documents. For example, the narrative section of the application could be saved as “narrative.txt.”

Complete applications should include the following:

- The SF-424;
- Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug Free Workplace Requirements;
- Letter of non-supplanting;
- Separate Letters from prosecution, law enforcement, court, and victim services programs demonstrating the need for, intended use of, and expected results from the use of grant funds, and the demographic characteristics of the populations to be served;
- Individual letters demonstrating the commitment of nonprofit, nongovernmental victim services programs to participate in the development of the grantee’s implementation plan;
- Individual Letters showing that tribal, territorial, State, or local prosecution, law enforcement, and courts have consulted with tribal, territorial, State or local victim services programs during the course of developing their grant applications;
- Certification of Compliance with the Statutory Eligibility Requirements of the VAWA, as amended (Appendix B);
- Project Narrative;
- Recovery Act Certification; and
- Match waiver request, if applicable.

Note: An application missing any of the above components will be considered incomplete and cannot move forward in the grant making process which may result in the delay of funding. For additional information, please contact OVW at 202-307-6026 and reference the OVW Recovery Act STOP Program.

For technical assistance and questions regarding how to submit your application to GMS, please call the toll-free GMS helpdesk telephone number at 1-888-549-9901.

To help expedite the review process, applicants must send **via overnight delivery** a complete hard copy original of the application **postmarked by March 24, 2009** to:

The Office on Violence Against Women

Attn: STOP Unit

800 K Street NW, Suite 920

Washington, DC. 20001

APPENDIX A

CERTIFICATION AS TO RECOVERY ACT REPORTING REQUIREMENTS

U.S. DEPARTMENT OF JUSTICE
OFFICE ON VIOLENCE AGAINST WOMEN

Recovery Act – Recovery Act STOP Violence Against Women Formula Grant Program

Certification as to Recovery Act Reporting Requirements

On behalf of the applicant entity named below, I certify the following to the Office on Violence Against Women, U.S. Department of Justice:

I have personally read and reviewed the section entitled “Accountability and Transparency under the Recovery Act” in the program announcement for the Recovery Act grant program identified above. I have also read and reviewed section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), concerning reporting requirements for grants. I agree that the applicant will comply with the reporting requirements set forth therein with respect to any grant the applicant may receive under the Recovery Act grant program identified above.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that, the Office on Violence Against Women grants, including certifications provided in connection with such grants, are subject to review by the Office on Violence Against Women and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office on Violence Against Women).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Full Name of Applicant Entity

Date

APPENDIX B

CERTIFICATION OF COMPLIANCE WITH THE STATUTORY ELIGIBILITY REQUIREMENTS OF THE VIOLENCE AGAINST WOMEN ACT AS AMENDED



Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act as Amended, STOP Formula Grant Program

Applicants should refer to the regulations cited below for further information regarding the certifications to which they are required to attest. Applicants also should review the instructions for certification included in the program regulations before completing this form. Signature on this form certifies that the state is qualified to receive the funds and provides for compliance with relevant requirements under 28 CFR Part 90 and 42 U.S.C 3796gg through 3796gg-5 and 3796gg-8. The certifications shall be treated as a material representation of fact upon which the Department of Justice will rely if it determines to award the covered transaction, grant, or cooperative agreement.

Upon complying with the application requirements set forth in this Application Guide, any state shall be qualified for funds provided under the Violence Against Women Act upon certification that:

(1) the funds will be used only for the statutory purposes described in 42 U.S.C. § 3796gg (a) and (b);

(2) grantees and subgrantees will develop plans for implementation and will consult and coordinate with nonprofit, nongovernmental victim services programs, including sexual assault and domestic violence victim services programs and describe how the state will address the needs of underserved populations;

(3) the amount granted will be allocated, without duplication, as follows: not less than 25 percent for law enforcement, not less than 25 percent for prosecutors, not less than 30 percent for nonprofit, nongovernmental victim services programs (of which at least 10 percent will be distributed to culturally specific community-based organizations), and not less than 5 percent for state and local courts; and

(4) any federal funds received under this subchapter will be used to supplement, not supplant, nonfederal funds

that would otherwise be available for activities funded under this chapter.

In addition, as required by 42 U.S.C. 3796gg-4, 3796gg-5, and 3796gg-8 and implemented at 28 CFR Part 90:

(1) Forensic Medical Examination Payment Requirement for Victims of Sexual Assault

(a) A state, Indian tribal government, or unit of local government shall not be entitled to funds unless the state, Indian tribal government, unit of local government, or another governmental entity incurs the full out-of-pocket costs of forensic medical exams for victims of sexual assault.

(b) A state, Indian tribal government, or unit of local government shall be deemed to incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault if any government entity:

(1) provides such exams to victims free of charge to the victim;

(2) arranges for victims to obtain such exams free of charge to the victims; or

(3) reimburses victims for the cost of such exams if

(i) the reimbursement covers the full cost of such exams, without any deductible requirement or limit on the amount of a reimbursement;

(ii) the reimbursing governmental entity permits victims to apply for reimbursement for not less than one year from the date of the exam;

(iii) the reimbursing governmental entity provides reimbursement not later than 90 days after written notification of the victim's expense; and

(iv) the state, Indian tribal government, unit of local government, or reimbursing governmental entity provides information at the time of the exam to all victims, including victims with limited or no English proficiency, regarding how to obtain reimbursement.

(c) A State or Indian tribal government may use STOP grant funds to pay for forensic medical exams performed by trained examiners for victims of sexual assault, except that such funds may not be used to pay for forensic medical exams by any State, Indian tribal government, or territorial government that requires victims of sexual assault to seek reimbursement for such exams from their insurance carriers.

(d) As of the effective date for compliance with 42 U.S.C. 3796gg-4(d), no State, Indian tribal government, or territorial government may require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.

(2) Filing Costs For Criminal Charges and Protection Orders

A state, Indian tribal government, or unit of local government will not be entitled to funds unless it certifies that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state, tribal, or local jurisdiction.

(3) Judicial Notification

A State or unit of local government shall not be entitled to funds under this part unless the State or unit of local government--

(a) certifies that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related Federal, State, or local laws; or

(b) gives the Attorney General assurances that its judicial administrative policies and practices will be in compliance with the requirements of subparagraph (A) within the later of—

(1) the period ending on the date on which the next session of the State legislature ends; or

(2) January 5, 2008.

(4) Polygraph Testing Prohibition

(a) In order to be eligible for grants under this part, a State, Indian tribal government, territorial government, or unit of local government shall certify that, not later than January 5, 2009, their laws, policies, or practices will ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, tribal, State, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense.

(b) Under 42 U.S.C. 3796gg-8(b), the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense by a state, Indian tribal government, territorial government, or unit of local government.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with above certifications.

Typed Name of Authorized Representative

Title

Telephone Number

Signature of Authorized Representative

Date Signed

Agency Name

Public Reporting Burden Paperwork Reduction Act Notice. Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this form is 60 minutes per form. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office on Violence Against Women, U.S. Department of Justice, 800 K Street, NW, Washington, DC 20530.